

Vernon E. Leverty, Esq., NV Bar No. 1266  
Patrick R. Leverty, Esq., NV Bar No. 8840  
William R. Ginn, Esq., NV Bar No. 6989  
Jess P. Rinehart, Eq., NV Bar No. 11697  
832 Willow Street; Reno, NV 89502  
Telephone: (775) 322-6636  
*Attorneys for Leverty & Associates Law, Chtd.*

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA**

IN RE:  
JULIANA MAYER LOZA,  
Debtor  
CASE NO.: 21-50466-nmc  
**REQUEST FOR JUDICIAL NOTICE**

Leverty & Associates Law, Chtd., by and through its undersigned counsel, hereby requests that this Court take judicial notice of the attached exhibits of matters filed in the United States District Court for the State of Nevada, the Ninth Judicial District Court for the State of Nevada, and of filings filed in the Douglas County Recorders Office, the decision of the Nevada Supreme Court in in addition to the transcript of the Ninth Judicial District Court's rulings in the case of *Leverty & Associates v. Athena Medical Group, et. al.* on the Athena Defendant's motion to set aside the default.

This Court can take judicial notice of these facts pursuant to FRE 201. See *In re Lum Lung*, 2018 Bankr. LEXIS 3833, at \*6 n.4 (Bankr. D. Nev. Dec. 6, 2018).

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1     **I. Filings in the United States District Court for the State of Nevada.**

2                 Attached as Exh 1 is a declaration filed by Juliana Loza (the debtor herein) filed in the case  
3 of *Leverty & Associates Law, Chtd. v. Exley*, United States District Court case no. 3:17-cv-00175  
4 as document 84-2 on March 22, 2021.

5                 Attached as Exh. 2 is the report and recommendation of United States Magistrate Judge,  
6 filed in the case of *Leverty & Associates Law, Chtd. v. Exley*, United States District Court case  
7 no. 3:17-cv-00175 as document 137 on November 5, 2018.

8                 Attached as Exh. 3 is the motion to quash writ of execution filed by Juliana Loza (the debtor  
9 herein) filed in *Leverty & Associates Law, Chtd. v. Exley*, United States District Court case no.  
10 3:17-cv-00175 as document 184 on March 22, 2021.

11     **II. Decision by the Nevada Supreme Court in Leverty & Associates Law, Chtd. v.  
Loza**

12                 Attached as Exh. 4, is the filed decision by the Nevada Supreme Court in *Leverty &  
Associates Law v. Loza, et. al.*, no. 80857, dated June 9, 2021.

14     **III. Filings in the Ninth Judicial District Court for the State of Nevada.**

15         **A. Leverty & Associates v. Athena Medical Group Filings**

16                 Attached as Exh. 5 is the Judgment by Default filed May 24, 2021 in the matter of *Leverty  
& Associates Law, Chtd. vs. Athena Medical Group, et. al*, Ninth Judicial District Court for the  
18 State of Nevada, case no. 2021.-CV-00057.

19                 Attached as Exh. 6 is the Motion to Set Aside Default Judgment filed by Athena Medical  
20 Group, dated July 15, 2021, in the matter of *Leverty & Associates Law, Chtd. vs. Athena Medical  
Group, et. al*, Ninth Judicial District Court for the State of Nevada, case no. 2021.-CV-00057.

22                 Attached as Exh.7 is the Opposition to Athena Entities Motion to Set Aside Default  
23 Judgment, filed by Leverty & Associates Law, Chtd., dated July 28, 2021, in the matter of *Leverty  
& Associates Law, Chtd. vs. Athena Medical Group, et. al, Ninth Judicial District Court for the  
25 State of Nevada*, case no. 2021.-CV-00057.

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1           **B. Estate of Ray W. Exley Filings**

2           Attached as Exh. 8 is the verified petition to appoint a special administrator and for issuance  
3 of special letters of administration filed on November 4, 2020 on behalf of to Juliana Loza (the  
4 debtor herein) in the matter of the Estate of Ray W. Exley, Ninth Judicial District Court for the  
5 State of Nevada, case no. 20-PB-00129.

6           Attached as Exh. 9 are the letters of administration issued to Juliana Loza (the debtor herein)  
7 on November 12, 2020 in the matter of the Estate of Ray W. Exley, Ninth Judicial District Court  
8 for the State of Nevada, case no. 20-PB-00129.

9           Attached as Exh. 10 are the duplicate letters of administration issued to Juliana Loza (the  
10 debtor herein) on June 22, 2021 in the matter of the Estate of Ray W. Exley, Ninth Judicial  
11 District Court for the State of Nevada, case no. 20-PB-00129.

12          Attached as Exh. 11 is the creditor claim filed by Leverty & Associates Law, Chtd. against  
13 the Estate of Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-  
14 PB-00129.

15          Attached as Exh. 12 is the creditor claim filed by Lewitt, Hackman, Shapiro, Marhsall and  
16 Harlan against the Estate of Ray W. Exley, Ninth Judicial District Court for the State of Nevada,  
17 case no. 20-PB-00129.

18          Attached as Exh. 13 is the creditor claim filed by Evan B. Schenkel. against the Estate of  
19 Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.

20          Attached as Exh. 14 is the creditor claim filed by Keith Zimmet. against the Estate of Ray  
21 W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.

22          Attached as Exh. 15 is the creditor claim filed by Alling & Jillson, Ltd. against the Estate  
23 of Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.

24           **IV. Filings in the Douglas County Recorder's Office.**

25          Attached hereto as Exh. 16 is the document history for Parcel #1318-25-111-017 from the  
26 Douglas County Recorder's Office.

1 Attached hereto as Exh. 17 is a quitclaim deed for Parcel #1318-25-111-017 transferring the  
2 property from Athena Medical Group Defined Contribution Plan and Trust Number Three to  
3 Juliana Loza (the debtor herein), dated January 22, 2021.

4 Attached hereto as Exh. 18 is a quitclaim deed for Parcel #1318-25-111-017 transferring the  
5 property from Juliana Loza (the debtor herein) to Athena Medical Group Defined Contribution  
6 Plan and Trust Number Three, dated March 30, 2021.

7 **V. Transcript of Oral Pronouncements of Findings of Fact by Hon. Tod  
Young, Ninth Judicial District Court in the State Of Nevada.**

8 Attached hereto as Exh. 19, is the transcript of the Court's decision regarding the Athena  
9 entities motion to set aside the default judgment which transferred the property in question to  
10 Ray Warren Exley before the debtor's bankruptcy petition was filed.

11 DATED: This 7th day of December, 2021.

12 LEVERTY & ASSOCIATES LAW CHTD.  
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14 */s/ William R. Ginn*  
15 Vernon E. Leverty, NV Bar No. 1266  
16 William R. Ginn, Esq., NV Bar No. 6989  
17 Patrick R. Leverty, Esq., NV Bar No. 8840  
18 Jess P. Rinehart, Esq., NV Bar No. 11697  
19 832 Willow Street; Reno, Nevada 89502  
20 *Attorneys for Leverty & Associates Law, Chtd.*

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### Index of Exhibits

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3	Motion to quash writ of execution filed by Juliana Loza (the debtor herein) filed in <i>Leverty &amp; Associates Law, Chtd. v. Exley</i> , United States District Court case no. 3:17-cv-00175 as document 184 on March 22, 2021.	10
4	Decision by the Nevada Supreme Court in <i>Leverty &amp; Associates Law v. Loza, et. al.</i> , no. 80857, dated June 9, 2021.	3
5	Judgment by Default filed May 24, 2021 in the matter of <i>Leverty &amp; Associates Law, Chtd. vs. Athena Medical Group, et. al</i> , Ninth Judicial District Court for the State of Nevada, case no. 2021.-CV-00057.	9
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9	Letters of administration issued to Juliana Loza (the debtor herein) on November 12, 2020 in the matter of the Estate of Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.	2
10	Duplicate letters of administration issued to Juliana Loza (the debtor herein) on June 22, 2021 in the matter of the Estate of Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.	2
11	Creditor claim filed by Leverty & Associates Law, Chtd. against the Estate of Ray W. Exley, Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129	8
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1	Ninth Judicial District Court for the State of Nevada, case no. 20-PB-00129.	
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5	16 Document history for Parcel #1318-25-111-017 from the Douglas County Recorder's Office	1
6	17 Quitclaim deed for Parcel #1318-25-111-017 transferring the property from Athena Medical Group Defined Contribution Plan and Trust Number Three to Juliana Loza, dated January 22, 2021.	4
7	18 Quitclaim deed for Parcel #1318-25-111-017 transferring the property from Juliana Loza to Athena Medical Group Defined Contribution Plan and Trust Number Three, dated March 30, 2021.	5
8	19 Transcription of Findings on Defendants' motion to set aside defaults in the matter of <i>Leverty &amp; Associates Law,</i> <i>Chtd. vs. Athena Medical Group, et. al</i> , Ninth Judicial District Court for the State of Nevada, case no. 2021- CV-00057.	15

\*Does not include the exhibit divider page

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## **CERTIFICATE OF SERVICE**

Pursuant to Rule 5(b) of the Nevada Rules of Civil Procedure, I hereby certify under penalty of perjury that I am an employee of Leverty & Associates Law, Chtd., and that service of the foregoing was made via the Court's electronic filing system to:

Stephen R. Harris, Esq.  
Harris Law Practice  
6151 Lakeside Drive, Suite 2100  
Reno, NV 89511  
*Attorneys for Debtor*

additionally, service of the foregoing was made via US Mail prepaid to:

Gene Kaufmann, Esq.  
Sullivan law  
1625 State Route 88, Ste. 401  
Minden, NV 89423  
*Attorney for Juliana Mayer Loza*

DATED: This 7th day of December, 2021.

/s/ William R. Ginn  
An Employee of Leverty & Associates Law Chtd.